

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
BOARD OF EXAMINERS OF PLUMBERS**

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

Tuesday, July 16, 2013

9:00am

In attendance:

Anthony Cardarelli

Larry Giorgi

Jeffrey Hutton

Richard Mandarini

Michael Newman

William J. Riley, Chair

Lionel Bernardino and Michael Raposa were not in attendance.

Also in attendance were E. Patrick Luther, Chief Plumbing Investigator; Mary Ellen McQueeney Lally, Legal Counsel for the Department; and Angelyne Cooper, Legal Counsel for the Department.

1.) Call to Order: The meeting was called to order at 9:06am by

William J. Riley, Chair.

2.) Minutes of May 21, 2013 Meeting: Anthony Cardarelli made a motion to accept the minutes of the May 21, 2013 meeting; seconded by Michael Newman. All were in favor.

3.) Conflict of Interest: Mary Ellen McQueeney-Lally, Legal Counsel, reminded the Board of that they are subject to the Code of Ethics and their responsibility to disclose conflicts of interest, financial or otherwise, and recuse if necessary. Board members present questions to Legal Counsel. Legal Counsel, If the member feels they can render an impartial decision if they do not they can recuse. Ms. McQueeney-Lally informs the Board that a recusal will not affect a quorum.

4.) Violation Appeal Hearings:

LaFramboise Water Services, Inc., Paul LaFramboise. ¡V Violation 4589:

At the start of the meeting, Joseph Degnan, Assistant Director, informed the board the attorney for LaFramboise Water Services, Inc., Paul LaFramboise has requested an extension and will be put on the agenda for next meeting.

Tad Senn, Datop Sprinkler Specialists, Inc. ¡V Violation 4634:

E. Patrick Luther informs the board that Tad Senn, Datop Sprinkler

Specialists, Inc. requested a continuance which has been granted. The hearing is postponed until the August meeting.

Louis Giarrusso, Bell Irrigation Co ¡V Violation 4635:

E. Patrick Luther, DLT Chief Plumbing Investigator and Louis Giarrusso, respondent, are sworn in for testimony. E. Patrick Luther reads the violation into the record.

Date: 6/12/2013; Violation 4635; Louis Giarrusso ¡V Bell Irrigation Co., 27 Starling Cr, Cranston, RI 02920

Location of Violation: 2 Glendaway Dr, Narragansett, RI

Violation: RIGL 5-20-9 Acts for which journeyperson's license required

On May 17, 2013, Louis Giarrusso, of Bell Irrigation, did have Luke Baron, of 54 Imperial Ave Cranston, and B. Benjamin Arqueta, of 32 Sears Ave Providence, assisting in the installation of irrigation at the above address. Mr. Baron and Mr. Arqueta were not licensed or registered for the installation of irrigation systems in Rhode Island. This is a violation of the above referenced RI General Law.

As per RIGL 5-20-33 a \$1,000.00 penalty was assessed with cease and desist order Violation # 4635.

Mr. Luther provides testimony.

At approximately 9:12am the meeting was held while E. Patrick Luther checked on B. Benjamin Argueta's license. Mr. Luther returns at 9:15am and the meeting resumes. Mr. Luther confirmed that Mr. Giarrusso has signed up Mr. Argueta. The Board questions Mr. Luther.

Mr. Giarrusso provides testimony. The Board questions Mr. Giarrusso.

Regarding Violation 4635, Jeffrey Hutton made a motion that a violation of RIGL 5-20-9, Acts for which journey person's license required did occur; seconded by Michael Newman and passed unanimously by the Board.

There is discussion.

Regarding the penalty for Violation 4635, a motion was made by Jeffrey Hutton that, because Mr. Giarrusso has not been before the Board before, the fine of \$1,000.00 be suspended for one year pending no further violations for one year. If no violation occurs within one year it be dismissed after the year. If a violation does occur within one year the fine be upheld. The motion was seconded by Larry Giorgi and passed unanimously by the Board.

The recommendation will be forwarded to the Director's office.

End of hearings.

5.) Apprentice Approvals / Apprentice Registrations 05/21/2013 thru 07/16/2013:

„X Craig Campopiano Brian Lapierre MP002317

„X Nivaldo Rocha Chuck Cummings MP001644

„X Gilbert Lourenco Chuck Cummings MP001644

„X David White Lenny Gemma MP001809

Larry Giorgi made a motion to accept apprentices as presented; seconded by Anthony Cardarelli and passed unanimously by the Board.

6.) Adjournment: Richard Mandarinini and Michael Newman made a motion to adjourn; seconded by Larry Giorgi and passed unanimously by the Board. The meeting adjourned at 9:20am.